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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

FRED L. FAIRLEY,
aka FRED LEE FAIRLEY, III
LA. DOC #391401

CIVIL ACTION NO. 09-0500

VS.

SECTION P

JUDGE DRELL

WARDEN, CLAIBORNE PARISH
DETENTION CENTER


MAGISTRATE JUDGE KIRK

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record;

IT IS ORDERED that this petition for habeas corpus be DENIED AND DISMISSED WITH PREJUDICE, because petitioner's claims are barred by the one-year limitation period codified at 28 U.S.C. §2244(d), and he is not eligible for the benefits of either statutory or equitable tolling.

THUS DONE AND SIGNED, in chambers, in Alexandria, Louisiana,
on this 22nd day of June, 2009.


DEE D. DRELL
UNITED STATES DISTRICT JUDGE